

# **DISCLAIMER**

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## **APPLICATION OF**

**JAMES CITY ENERGY PARK, LLC**

**CASE NO. PUE-2002-00150**

**For authority to construct and  
operate an electric generating facility**

## **HEARING EXAMINER'S RULING**

**September 17, 2002**

On March 8, 2002, James City Energy Park, LLC ("James City Energy" or "Company"), filed an application for a certificate of public convenience and necessity to construct and operate an electric generating facility pursuant to § 56-580 D of the Code of Virginia. By its Order for Notice and Hearing dated April 23, 2002, the Commission docketed the application, assigned the matter to a hearing examiner, set a hearing date, established a procedural schedule for the filing of prepared testimony and exhibits, and established public notice requirements.

By Ruling dated July 29, 2002, the procedural schedule was modified at Staff's request. The filing date for Staff testimony and exhibits was extended from August 9 to August 23, 2002, and correspondingly, the filing date for Company rebuttal testimony was extended from September 3 to September 6, 2002.

On September 5, 2002, James City Energy, by counsel, moved to extend the deadline for filing rebuttal testimony and exhibits from Company witness John Meeske from September 6 to September 11, 2002. In support, James City Energy stated that it would be unable to file Mr. Meeske's rebuttal testimony and exhibits on September 6 due to the recent death of Mr. Meeske's father. Finally, counsel for James City Energy represented that Staff counsel does not oppose the motion. That testimony was filed, as requested, on September 11, 2002.

Good cause having been shown, I find James City Energy's motion for an extension should have been granted. Accordingly,

**IT IS DIRECTED** that the prepared testimony and exhibits of John Meeske filed on September 11, 2002, are accepted for filing.

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Deborah V. Ellenberg  
Chief Hearing Examiner